

**Statement of Representative Christopher H. Smith
Chairman, Subcommittee on Africa, Global Human Rights and
International Operations
Joint Hearing on Human Rights in Burma
February 7, 2006**

The Subcommittee will come to order, and good afternoon to everyone.

Today's joint hearing of the Subcommittees on Africa, Global Human Rights and International Operations and on Asia and the Pacific will focus on the current human rights situation in Burma, and what the U.S. and the international can and must do to improve that situation.

After forty years of brutal military dictatorships, the human rights situation in Burma is frightening. That nation's current military junta, in power for over seventeen years, is an abysmal failure on every conceivable level.

It has ruined a beautiful and naturally rich land. According to the State Department's most recent Human Rights Country Report,

"More than 4 decades of economic mismanagement and endemic corruption have resulted in widespread poverty, poor health care, declining education levels, poor infrastructure, and continuously deteriorating economic conditions. During the year, poor economic policymaking, lingering consequences of the 2003 private banking sector collapse, and the economic consequences of international sanctions further weakened the economy. The estimated annual per capita income was approximately \$225. Most of the population of more than 50 million live in rural areas at subsistence levels."

The Heritage Foundation ranked Iran and North Korea as the only countries with more restrictive economies than that of Burma.

But economic misery is probably the least of the problems faced by Burma's long-suffering people.

"Citizens still did not have the right to criticize or change their government...Security forces continued to carry out extrajudicial killings. Disappearances continued, and security forces raped,

tortured, beat, and otherwise abused prisoners and detainees. Citizens were subjected to arbitrary arrest without appeal.”

2004 State Department Human Rights

Report

There are more than 1,100 political prisoners in Burma, who are abused and tortured. 7 are reported to have died in custody last year, and just last month a 38-year old democratic activist died in custody due to inadequate medical attention.

Over fifteen years ago the National League for Democracy, led by Nobel laureate Aung San Suu Kyi (OWNG SAN SU CHEE), and other democratic forces, won an overwhelming victory in free elections (82%). The junta refused to accept the results or to call Parliament into session. Instead it imprisoned many activists, including Aung San Suu Kyi, who has spent 10 years under house arrest. Her current house arrest is tantamount to solitary confinement. She has been cruelly kept away from her children, and her husband, who died abroad. For fifteen years the junta has cynically proclaimed its intention to draft a new constitution via a National Convention, with no participation by the people's democratic representatives. That National Convention has again been adjourned, with no Constitution, and no freedom, in sight.

Since 1999, the U.S. Secretary of State has designated Burma as a "Country of Particular Concern" under the International Religious Freedom Act for particularly severe violations of religious freedom.

According to the U.S. Department of State, Burma continues to be a Tier 3 Country for human trafficking, and “the junta's policy of using forced labor is a driving factor behind Burma's large trafficking problem.” The ILO has condemned Burma's use of forced labor, and the ILO representative in Burma has received death threats. Burma has threatened to quit the ILO. Burma regularly prosecutes those who complain about forced labor. Last October, Burma sentenced a 34-year-old woman to twenty months in prison for “criminal intimidation” of local officials. Her offense? She had the temerity to initiate the first successful prosecution for use of forced labor in Burma. She had lodged a complaint in 2004 against local government officials over their use of forced labor on a road construction project. She exercised her right to do this under new regulations introduced by the

government to appease the International Labor Organization (ILO). She is now in prison, and her appeal was summarily denied.

Burma is high on the list of uncooperative drug-producing or transiting countries, and there is evidence of military and government involvement in the narcotics traffic. Burma produces about 80% of South-east Asia's heroin, and is one of the largest producers of methamphetamines in the world. It exports its illicit narcotics throughout China and Southeast and Central Asia.

And as Burma's heroin circulates through Asia, so does HIV/AIDS, which Burma refuses to take seriously as a domestic problem, although the UN estimated in 1999 that over half a million adults had HIV. According to one estimate, Burma spent only \$22,000 in 2004 to help AIDS victims. In 2005 the regime tightened restrictions on NGOs and UN agency staff providing humanitarian assistance in Burma. The Global Fund to Fight AIDS, Tuberculosis and Malaria announced in August that it was terminating its \$98 million program on the ground that "its grants to the country cannot be managed in a way that ensures effective program implementation." The French contingent of medical aid group *Medecin Sans Frontieres* reportedly plans to withdraw from Burma because of restrictions imposed on access to villagers.

The military's self-justification for its decades of arbitrary rule is to protect Burma from "instability." Yet for forty years it has waged endless war on the nation's ethnic minorities, killing tens of thousands, driving hundreds of thousands, perhaps millions, of others into exile as refugees or within Burma as displaced persons. It has destroyed over 2,500 villages, and uses rape as an instrument of policy. And to wage these wars, it has resorted to conscription of children: more than 70,000 child soldiers may be serving, in horrible circumstances, in Burma's bloated army.

The UN Special Rapporteur for Human Rights, Sergio Pinheiro, has not been allowed into Burma for two years. In January 2006, UN Special Envoy to Burma Razali Ismail resigned his post after nearly five years, since the junta has not allowed him into the country for two years.

With such a record, it is no wonder that the U.S. has a wide array of sanctions in place against Burma, many of which must be renewed this year.

And many wonder, can any progress be made? Yet in the midst of so much darkness, there has been light this year.

In September 2005, Nobel Laureates Archbishop Desmond Tutu and former Czech President Vaclav Havel released a major report documenting Burma's human rights problems as a threat to regional peace and security.

In December, with the strong support of the United States, UN Undersecretary for Political Affairs Ibrahim Gambari, in the unusual but significant presence of Secretary General Kofi Annan, personally gave the Security Council received its first-ever briefing on the situation in Burma, a possible first step towards tougher international action. He went on record that the Burmese junta imprisons dissidents, ignores basic human rights, and is steering the country "towards a humanitarian crisis."

The Association of Southeast Asian Nations (ASEAN, which Burma joined in 1997) has finally moved from a posture of "constructive engagement," without sanctions or diplomatic pressure, to a more proactive approach to promote change.

But most of all, we owe this progress to this administration. Secretary of State Condoleezza Rice, Assistant Secretary of State Christopher Hill, and even more importantly, President George Bush, have been relentless in making the world face up to the appalling disaster in Burma. We have just begun, and we have a long way to go, but we in Congress are determined to support these efforts to bring peace and freedom to the heroic Burmese people, who, in the face of so much persecution and suffering, still persist in their resolute struggle for justice.

The next logical step to take is for the U.S., which is currently President of the Security Council, to introduce a Security Council Resolution calling on Burma, in the strongest possible terms:

- To release Aung San Suu Kyi (OWNG SAN SUU CHEE) and other political prisoners,
- Implement a program for national reconciliation that includes the National League for Democracy,
- Grant immediate and unhindered access to all parts of Burma for U.N. relief agencies and other international humanitarian organizations.

Such a resolution should include a timeline for compliance and punitive sanctions if the SPDC fails to comply.

We welcome here today Assistant Secretary of State Barry Lowenkron, of the Bureau of Democracy, Human Rights and Labor. This is Mr. Lowenkron's first time before this House, and we look forward to a very fruitful collaboration on the vital issues he promotes. His Bureau has kept attention focused on Burma when most have forgotten it. We shall also hear from Assistant Secretary of State Christopher Hill, who is the chief executor of our President's policy to change Burma.